

**NOTICE OF PROPOSED WATER POLLUTION CONTROL PERMIT
FOR MANINIOWALI SUBDIVISION AND
QUEEN KAAHUMANU IMPROVEMENTS PROJECT**

NPDES PERMIT NO. HI 0021821

04-CW-PW-07

February 13, 2004

The State Department of Health ("DOH"), tentatively proposes to issue a National Pollutant Discharge Elimination System ("NPDES") permit to discharge storm water runoff from the Maniniowali Subdivision and Queen Kaahumanu Improvements project ("Project") to receiving State waters, subject to special conditions to:

**WB MANINIOWALI, LLC
1001 BISHOP STREET
PAUAHI TOWER, SUITE 1570
HONOLULU, HAWAII 96813**

The proposed draft permit will expire five (5) years from the date of issuance.

The proposed Project involves development of a new residential subdivision in Kailua-Kona on the Island of Hawaii. The property encompasses 395 acres on the ocean side of Queen Kaahumanu Highway for residential development, including earthwork, roadways, utility systems, and recreational facilities. The project also includes Kekaha Kai State Park Beach access road, parking, infrastructure and comfort station.

Storm water run-off associated with construction activities from the Project is permitted to discharge to the receiving state waters after implementation of Best Management Practices. The discharge may enter Kakapa Bay (Pacific Ocean) at the following coordinate:
Latitude 19°48'45"N, Longitude 156°00'15"W.

The receiving water is classified by the DOH as Class AA, Marine Water. The objective of Class AA waters is to remain in their natural pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or actions. To the extent practicable, the wilderness character of these areas shall be protected. The uses to be protected in this class of waters are oceanographic research, the support and propagation of shellfish and other marine life, conservation of coral reefs and wilderness areas, compatible recreation, and aesthetic enjoyment. The classification of any water area as Class AA shall not preclude other uses of the waters compatible with these objectives and in conformance with the criteria applicable to them. These waters shall not act as receiving waters for any discharge which has not received the best degree of treatment or control compatible with the criteria established for this class.

Persons wishing to comment upon or object to the proposed NPDES permit or to request a public hearing, should submit their comments or requests in writing no later than 30 days after the date of this notice, either in person or by mail, to:

Office Address:

Clean Water Branch
Environmental Management Division
State Department of Health
919 Ala Moana Boulevard
Room 301
Honolulu, HI 96814-4920

Mailing Address:

Clean Water Branch
Environmental Management Division
State Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

Copies of the proposed draft permit, and other information are available for public inspection, Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m., at the DOH office address shown above, and Hawaii District Health Offices, 1582 Kamehameha Avenue, Hilo, HI 96720, and Keakealani Building, 79-1020 Haukapila Street, Room 109, Kealakekua, HI 96750. Copies may be bought. The draft permit and fact sheet are also available on the internet at <http://www.state.hi.us/doh/eh/cwb/pubntcs/index.html>. For more information or if you have special needs due to disability that will aid you in inspecting and/or commenting on the draft permit and related information, please contact Mr. Alec Wong, Supervisor of the Engineering Section, Clean Water Branch, at the above address or (808) 586-4309 (Voice) at least seven (7) days before the comment deadline. For those who use a TTY/TDD, please call through Verizon-Hawaii Telephone Relay Service, at 1-711 or (808) 643-8822.

All comments and requests received on time will be considered. If DOH determines that there is significant public interest, a public hearing may be held after at least 30 days of public notice.

If DOH's position is substantially unchanged after considering all timely written comments and all oral comments at any public hearing that may be held, then the DOH will issue the NPDES permit and this action will be final.

Please notify anyone you know who would be interested in this matter.

Chiyome Leinaala Fukino, M.D.
Director of Health